

I hereby certify that this correspondence and any other documents referred to as enclosed herein, are being deposited in an envelope with the U.S. Postal Service "Express Mail Post Office to Addressee" service, Label Number EL 889 535 111 US, under 37 CFR §1.10 on the date below and addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.:

Date: September 27, 2001

By: Symreal Anderson

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

Fu, et al.

SERIAL No.: Not Yet Assigned

EXAMINER: Unknown

FILED: Filed Herewith

ART UNIT: Unknown

FOR: **METHOD FOR DETERMINING RELATIVE
ABUNDANCE OF NUCLEIC ACID
SEQUENCES**

Declaration Under 37 CFR §1.821

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

I, LeeAnn Gorthey, declare and affirm as follows:

1. I am an agent for the applicant.
2. The floppy disc which accompanies this Declaration contains the required sequence listing.
3. The sequence listing recorded on said disc matches the hard copy of the sequence listing accompanying this Declaration.
4. The present submission contains no new matter relative to the application as originally filed.

Respectfully submitted,

LeeAnn Gorthey
LeeAnn Gorthey
Registration No. 37,337

Date: 9-27-01

Correspondence Address:
Customer No. 22918

INVENTORSHIP DECLARATION BY JOINT INVENTORS

I HEREBY DECLARE THAT:

My residence, mailing address, and citizenship are stated next to my name in PART A on hereof.

I believe I am the original, first, and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled

METHOD FOR DETERMINING RELATIVE ABUNDANCE OF NUCLEIC ACID SEQUENCES

the specification of which:

is attached hereto.
 was filed on * as Application Serial No. *.

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim priority benefits under Title 35, United States Code §119 of any foreign application(s) for patent or inventor's certificate listed in PART B hereof and have also identified in PART B on hereof any foreign application for patent or inventor's certificate having a filing date before that of the application of which priority is claimed.

I hereby claim the benefit under Title 35, United States Code §119(e) and §120, of any United States application(s) listed in PART C hereof and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations §1.56 which occurred between the filing date of the prior application and any national or PCT international filing date of this application.

I hereby declare that all statements made herein of my knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Please direct all telephone calls to LeeAnn Gortey at (650) 838-4403. Address all correspondence to:

**Perkins Coie LLP
P.O. Box 2168
Menlo Park, CA 94026**

Customer No. 22918

INVENTORSHIP DECLARATION BY JOINT INVENTORS

PART A: INVENTOR INFORMATION AND SIGNATURE

Full name of FIRST inventor: Rongdian Fu

Citizenship: PRC Mailing Address: 6500 Doral Avenue, #23
El Cerrito, CA 94530

Residence (if different):

Inventor's Signature: _____ Date: _____

Full name of SECOND inventor: Sydney Brenner

Citizenship: GB Mailing Address: 2120 Vallecitos, #204
La Jolla, CA 92037

Residence (if different):

Inventor's Signature: _____ Date: _____

Full name of THIRD inventor: Glenn Albrecht

Citizenship: US Mailing Address: 1113 Oliver Street
Redwood City, CA 94061

Residence (if different):

Inventor's Signature: _____ Date: _____

INVENTORSHIP DECLARATION BY SOLE INVENTOR

PART B: CLAIM TO PRIORITY OF FOREIGN APPLICATION(S) UNDER 35 U.S.C. 119(a-d)

Country	App. No.	Filing Date
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PART C: CLAIM TO PRIORITY OF U.S. PROVISIONAL AND NONPROVISIONAL APPLICATION(S) UNDER 35 U.S.C. 119(e) AND 120

Serial No.	Filing Date	Status
<u>60/235,940</u>	<u>27 September 2000</u>	<input checked="" type="checkbox"/> Pending